

6 February, 2023

Delegate Joseline A. Pena-Melnyk
Chair, Health and Government Operations Committee
Room 241
House Office Building
Annapolis, Maryland 21401

Re: Letter of Support for HB 0006
Department of General Services – Energy – Conserving Standards
(Maryland Sustainable Buildings Act of 2023).

Dear Chairwoman Pena-Melnyk and members of the Health and Government Operations Committee:

I am writing to voice AIA Maryland's support of House Bill 0006. AIA Maryland represents nearly 2,000 architects in the state of Maryland and advocates for the profession and the quality of the built environment. As we work to be good stewards of the built environment, we are equally cognizant of the natural environment that we interact with and we aim to minimize our impact on the natural world. This bill's primary purpose is clearly to reduce the estimated 1 billion bird deaths each year in the United States as a result of striking buildings. We believe this bill takes practical measures that can help reduce the likelihood of these collisions from happening and in turn, it may help reduce building energy use. The energy conserving standards are an aspect of the bird-safe design, largely tied to automatic lighting controls that turn off portions of interior and exterior lighting that may attract or confuse birds when buildings or site areas are not actively occupied. Additionally, energy conservation may be gained in the design process of assessing the building windows, screening and configuration. Bird-friendly design is particularly important in Maryland where we are on the Atlantic flyway, a heavily traveled path for migratory birds.

Member firms from our state chapter have tested the tool this bill implements, LEED Sustainable Sites pilot credit 55 on a couple of new 2-story sample projects. Research has shown that the first 40' of building height above the ground has the highest probability of bird strikes, so our sampling is relevant, and the pilot credit calculations account for building height zones carrying different risk factors. The process required for both projects required a modest amount of design time to comply with the pilot credit. The process enables sufficient flexibility to be able to meet the design criteria without any undue hardship and we do not expect it would have significant project cost impact. We also acknowledge and believe that there may be energy reduction through window criteria, screening and opacity of materials that may reduce heat gain on buildings in addition to limiting night-time illumination of interior glass-enclosed spaces and exterior lighting. Based on the testing of projects that were completed, we believe such accommodations can be made on new designs, or when existing buildings are being substantially renovated. In either case, the building skins and systems can be designed to respond to the proposed criteria.

Maryland is not acting alone in adopting guidelines like these. Given our geophysical presence along the coast and the Chesapeake Bay, it is particularly important to provide an accommodating migratory path for birds. Other states and jurisdictions have already enacted regulations similar to this bill, those include the state of Minnesota, New York City, San Francisco, Oakland, Chicago, Toronto and others. Howard County passed a law through county council, requiring mandatory bird safe design as a part of the County Green Building standards. Building codes continue to move toward developing buildings with a more efficient building envelope and the bird friendly criteria can be incorporated into the design parameters. Studies have shown that by implementing bird friendly design parameters, bird collision deaths can be reduced by up to 90 percent.

We recommend that the regulations be incorporated in the Maryland Green Building Council's program requirements documents so they are in a location where design professionals will reference criteria they need to meet. Starting with these measures early in the design process enables the design team to incorporate elements in the building design from the beginning where they may have limited to no effect on building cost.

AIA Maryland cares deeply about the quality of Maryland's natural and built environment. Sensible measures that diminish the impact of our built environment on the natural world are valuable to all of us. We therefore respectfully ask your committee to vote in favor of HB 0006 that provides thoughtful, responsible paths to bird-friendly design and may provide some added benefits of diminishing energy use.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Parts', with a long horizontal line extending to the right.

Chris Parts, AIA
Director, Past President, AIA Maryland